

REVISED

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, JUNE 26, 2006
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 *City of San Diego v. Orrick Herrington & Sutcliff (attorneys) Calderon, Jahan & Osborn (accountants) Caporicci & Larson (accountants) and Webster & Anderson (attorneys)*
San Diego Superior Court No. GIC 857632

EACA assigned D. McGrath

This matter is a pending lawsuit for money damages filed by the City of San Diego against accountants and attorneys whose legal advice and accountancy practices fell below the standard of care for similarly situated and compensated professionals. The City Attorney will brief the City Council potential settlement with one of the defendants.

CS-2 *Marcus R. Abbe, et al. v. City of San Diego, et al.*
United States District Court No. 05 CV 1629

EACA assigned: D. McGrath

This matter is a class action filed by numerous police officers alleging violations of the memorandum of understanding with the City of San Diego. In closed session the City Attorney will brief the Council on the status of the matter and request retention of outside counsel in the matter.

CS-3 *Building Industry Association of San Diego County, Inc. v City of San Diego*
San Diego Superior Court Case No. GIC 817064

DCA: D. Karlin

The Building Industry Association of San Diego County, Inc., has challenged the City of San Diego's Inclusionary Affordable Housing Regulations [Ordinance], codified at Chapter 14, Article 2 of the San Diego Municipal Code [SDMC], in the above-entitled matter. In closed session, the City Attorney will update the City Council on the status of the litigation.

Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

CS-4 Number of Cases: One

EACA assigned: D. McGrath

In closed session the City Attorney will advise the Council on the potential of the initiation of litigation and the retention of outside counsel Dan Stanford & Associates to pursue.

Public employment - performance evaluation, pursuant to California Government Code section 54957(b)(1):

CS-5 Title: Independent Budget Analyst

CS-6 Title: City Clerk